



# MARYLAND

## Department of Health

Larry Hogan, Governor • Boyd Rutherford, Lt. Governor • Dennis Schrader, Secretary

### **MARYLAND BOARD OF PHARMACY**

4201, Patterson Avenue, Baltimore, Maryland 21215-2299

Mitra Gaygani, Board President • Deena Speights-Napata, Executive Director

**VIA REGULAR & CERTIFIED MAIL, RETURN RECEIPT REQUESTED**  
**ARTICLE #7016 0750 0001 0747 6355**

July 21, 2017

William B. Bush III  
12250 Rousby Hall Road  
Lusby, Maryland 20657

Re: Registration No. T11824  
Notice of Recommended Civil Penalty  
Case #PT-18-004

Dear Mr. Bush:

The Maryland Board of Pharmacy (the "Board") is in receipt of your application for reinstatement of your pharmacy technician registration, Registration No. T11824. On your application and in subsequent communications to the Board, you indicated that you have been working at Walgreens #11594 since January 3, 2017, on an expired registration. The Board's records note that your pharmacy technician registration expired on December 31, 2015.

### **I. FINDINGS AND CONCLUSION**

The Board finds that you have been working as a pharmacy technician at Walgreens #11594 without a current and active registration since January 3, 2017.

A pharmacy technician must be duly registered with the Board in order to perform delegated pharmacy acts. Working as a pharmacy technician without a registration is in violation of the Maryland Pharmacy Act, Md. Code Ann., Health Occ. § 12-6B-01.

### **II. RECOMMENDED CIVIL MONETARY PENALTY**

Under the Maryland Pharmacy Act, Md. Code Ann., Health Occ. § 12-707(e), the Board of Pharmacy has the authority to impose a civil fine of up to \$50,000 for working as an unregistered pharmacy technician.

Based upon the facts set forth in Section I above, the Board hereby recommends the imposition of a **civil fine of \$100.00**.

In determining the recommended civil monetary penalty, the Board took into consideration the aggravating and mitigating factors outlined in COMAR 10.34.11.09D(3).

### **III. OPPORTUNITY FOR HEARING**

If you dispute the findings, conclusions, or the recommended civil monetary penalty, you may request an evidentiary hearing on the Board's decision in this matter. In the event that you request an evidentiary hearing, the Board shall initiate formal proceedings which would include the opportunity for a full evidentiary hearing. The hearing will be held in accordance with the Administrative Procedure Act, Md. Code Ann. State Gov't § 10-201 *et seq.*, and COMAR 10.34.01. Any request for a hearing must be submitted in writing to Vanessa Thomas Gray, Compliance Investigator, Maryland Board of Pharmacy, 4201 Patterson Ave., Baltimore, Maryland 21215, **no later than thirty (30) days following the date of this Notice**.

Please be advised that at the hearing you would have the following rights: to be represented by counsel, to subpoena witnesses, to call witnesses on your own behalf, to present evidence, to cross-examine witnesses, to testify, and to present summation and argument. Should the Board find you guilty of the violation cited in this Notice, the Board may impose a civil penalty against you not to exceed \$50,000. If you request a hearing but fail to appear, the Board may nevertheless hear and determine the matter in your absence.

### **IV. OPTION TO PAY RECOMMENDED CIVIL FINE**

Alternatively, you may pay the recommended civil monetary penalty **within thirty (30) days** of the date of this Notice, in the form of a certified check or money order made payable to the Maryland Board of Pharmacy.

Please mail the check or money order to:

Maryland Board of Pharmacy  
P.O. Box 2051  
Baltimore, MD 21203-2051

***NOTE: Please include your registration number, T11824, on your check or money order to ensure proper assignment to your case.***

Upon your payment of the civil monetary penalty, this Notice will constitute the Board's final action with respect to this matter, and shall be a public document in accordance with the Maryland Public Information Act. In addition, upon your payment of the civil monetary penalty, your registration will be reinstated, provided you are otherwise

eligible for reinstatement.

If you have any questions concerning the instructions contained in this letter, please contact Etzion Brand, Licensing Manager, at (410) 764-4701.

Sincerely,

A handwritten signature in cursive script, appearing to read "Deena", is positioned above the printed name.

Deena Speights-Napata  
Executive Director

cc: Etzion Brand, Licensing Manager  
Brett Felter, Board Counsel